

**Town of Foxborough  
Conservation Commission Minutes  
April 14, 2014**

**Members Present:** Robert Boette (Chair), Eric Nelson (Clerk), Judith Johnson, James Marsh and Valerie Marshall  
**Members Absent:** Allan Curtis (Vice Chair), Douglas Davis  
**Staff Present:** Jane Sears Pierce, Conservation Manager, and Lee Ann Tavares, Secretary  
**Others Present:** See attached sign-in sheet

**Meeting Opened**

Bob Boette opened the meeting, held in the Boyden Library, at 7:00 p.m.

**Open Space & Recreation Plan Implementation Committee (OSRPIC)/Earth Day**

Ms. Heather Harding, who was present to discuss the creation of an OSRP Implementation Committee (OSRPIC), recommended inviting representatives from the Recreation Committee, Conservation Commission, Planning Board and other interested community members to serve on the OSRPIC. Val and Heather will draft a joint letter from Recreation and the Commission to be sent to the Board of Selectmen. The goal of the Committee is to ensure that the OSRP is implemented and kept up to date.

The Committee will plan to meet with the new Town Manager to ask for suggestions. Ms. Harding will contact the Selectmen's office to set up a meeting before the Board, sometime after Town Meeting. Applications for the OSRPIC will have a deadline of April 30, 2014.

Earth Day Event - The Town Cleanup day is scheduled for May 17, 2014. Ms. Harding asked that if anyone knows of an area in need of cleaning, they should contact A.J. Dooley.

**Neponset Reservoir Flooding Issues, Discussion/Update**

Sheila Warner, NRRC, who attended the meeting to update the Commission on the Reservoir's flooding issues, stated that the water had come down 8 inches since a board in the dam was recently pulled and the water level was currently below the high water mark.

Mr. Heaton, Neponset Heights Avenue, stated that the level was at normal high water mark at his place right now. He had brought an old survey plan of the Reservoir dated 1916, that he had received from Fred Walker, for the Commission to see.

Ms. Wagner stated that the NRRC has hired a limnologist (Ken Wagner) to create a water (budget) management plan, which should take most of the summer to complete. Ms. Warner added that since the dam has been fixed, it is now holding water and is working as it should. Keeping the lake deeper helps control the algae; a deeper lake is a cleaner lake. She explained the negative effect that septic systems had on the lake, stating that in the past, a study of all of the septic systems was made. She explained that if there is a 2" rain event, it will take some time for the water to peak. A water management plan will help the Commission be more proactive, when dealing with removing or adding boards (which are 6.5" each) to the dam, when heavy rains are forecast.

Mr. Dooley, who attended the meeting, stated that he has lived in the area his whole life and noticed last year's change in water levels. He added that there isn't a need to do a study; the water level is just too high. Ms. Warner stated that the level is at its normal high.

Val explained that the goal of the water management plan is to determine a proactive approach to managing the water levels instead of a reactive approach.

Mr. Robley, who also lives on Neponset Heights Avenue, stated that last spring they attended the same meeting. The water was too high and they asked for boards to come out; they waited; they were told that the dam was under a study; the water finally went down. He asked if all of the boards

would go back in during the fall and winter and suggested taking out three boards in the spring, since taking out only one board made the lake too high. He informed the Commission that with the current wet ground, if there was 1" of rain at this time, the lake water would come up 1½."

Ms. Warner explained that the water was currently at the old high water mark, stating that this water level needed to be maintained to keep algae in check. The less sun that gets in, combined with cooler water, will mean less algae; 27 tons of phosphates in the lake's sediments cause the algae.

Ms. Warner encouraged the lake abutters' participation in NRRC meetings, stating that they will be meeting on April 16<sup>th</sup> at 7:30 p.m. and their limnologist will also attend the meeting.

### **186 Beach Street, Request for Determination**

Information Reviewed: RFD received 3/24/14

Bob opened the meeting by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. Brian Schleicher, applicant was present to review the proposed project which is to construct an in-ground pool. He explained that there is a drain at the end of the driveway which holds water after a storm. A walk-out basement is unfinished. A swale runs under their fence. PCV pipe runs under the driveway to the wetland. The commission asked about dewatering which may be required when the hole is dug for the pool. Since groundwater is a concern and the commission suggests constructing the pool when the groundwater is low.

**Motion** was made by Judi Johnson to close the meeting and to issue a Negative Determination, providing there is no dewatering required and if it is required, a Notice of Intent will be necessary, for the RFD for 186 Beach Street; seconded by Val Marshall. **Vote: 5-0-0**

### **340 South Street, Request for Determination**

Information Reviewed: RFD received 3/31/14

Bob opened the meeting by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. Applicants, John and Dawn Young, and representative, Buddy Brackett, were present to review the proposed project. Mr. Brackett described the proposed cutting of invasive vegetation on the property, adding that the overgrowth of bittersweet will kill the trees. They propose to remove the material with a backhoe, put it in a dumpster and take it off-site; all machinery will stay on the driveway. The stumps of the dead trees will remain in place and not removed. They will stay 10 feet from the river. Jane reminded the applicants that dumping yard waste near the river is not allowed.

**Motion** was made by Val Marshall to close the meeting and to issue a Negative Determination for the RFD for 340 South Street; seconded by Judi Johnson. **Vote: 5-0-0**

### **35 & 45 Panas Road, Notice of Intent, DEP #157-515**

Bob opened the hearing by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. A request to continue the hearing was received from the Applicant's representative.

**Motion** was made by Judi Johnson to continue the hearing for DEP #157-515, 35 & 45 Panas Road, to April 28, 2014; seconded by Valerie Marshall. **Vote: 5-0-0**

### **March 10, 2014 Minutes**

**Motion** was made by Eric Nelson to accept the March 10, 2014 meeting minutes as distributed and amended; seconded by Valerie Marshall. **Vote: 5-0-0.**

### **Continued Hearing – Regulations for Foxborough's Wetland Bylaw (Article IX)**

A committee will be formed to work on the definitions and regulations and present them to the Commission. Jim Marsh will Chair the committee and Judi Johnson will assist.

**Motion** was made by Valerie Marshall to change the vernal pool definition; seconded by Eric Nelson. **Vote: 5-0-0.**

**Motion** was made by Valerie Marshall to continue the hearing for Regulations for Foxborough's Wetland Bylaw (Article IX) to April 28, 2014; seconded by Eric Nelson. **Vote: 5-0-0**

*Eric Nelson left the meeting at this point; 9:28 p.m.*

### **Other**

The Chairman will be meeting with the new Town Manager regarding budget issues. He wants to let the Town Manager know that the Commission plans to ask that the originally requested \$10,000 expense funds (to repair rental houses) be reinstated into the Commission's budget. Val suggested sending a copy of the Land Management Sub-Committee's Report to the Board of Selectmen. Judi thought that the Commission should let the Town know about their intention to ask for \$10,000, and that they are trying to help alleviate a liability to the Town by making necessary repairs to the rental properties.

### **Meeting Adjourned**

**Motion** was made by Valerie Marshall to adjourn; seconded by Jim Marsh. **Vote: 5-0-0**

The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 6/3/14

Reviewed by Jane Sears Pierce: 9/9/14

Approved by Commission: 9/29/14

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### **Documents, Not Referenced Above**

#### Attached Documents:

1. Agenda, April 14, 2014
2. Meeting Sign In Sheet

#### Location of Other Documents:

3. Manager's Report, filed in Manager's Report binder in the Conservation Office.
4. Referenced projects' documents: please see Conservation Commission's project file